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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/820,749 | 03/30/2001 | Masayuki Motonari | 205429US0 | 3881 |

22850 7590 01/03/2005

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1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

WOOD, ELIZABETH D

ART UNIT

PAPER NUMBER

1755

DATE MAILED: 01/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| EXAMINER |
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| ART UNIT | PAPER |
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12282004

DATE MAILED:

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Commissioner for Patents

SEE ATTACHMENT.

Elizabeth D. Wood
Primary Examiner
Art Unit: 1755

Response to Amendment

Newly submitted claims 55-82 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The inventions are related as product and process of use. The inventions can be shown to be distinct if either or both of the following can be shown: (1) the process for using the product as claimed can be practiced with another materially different product or (2) the product as claimed can be used in a materially different process of using that product (MPEP § 806.05(h)). In the instant case the product would have utility for polishing without a polishing pad.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter and different classification, restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 55-82 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The reply filed on December 5, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In view of the foregoing discussion withdrawing claims 55-82 from consideration, there are no

Art Unit: 1755

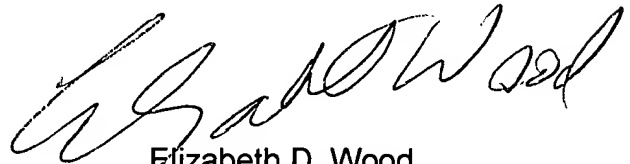
elected claims currently present in this application, rendering the response of December 5, 2004 nonresponsive. At least one elected claim must be presented for prosecution in this application in response to this letter. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth D. Wood whose telephone number is 571-272-1377. The examiner can normally be reached on M-F, 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Bell can be reached on 571-272-1364. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Elizabeth D. Wood", is positioned above the printed name.

Elizabeth D. Wood
Primary Examiner
Art Unit 1755

edw